

State of New Hampshire HOUSE RECORD

Second Year of the 155th Session of the General Court Calendar and Journal of the 1998 Session

Vol. 20 Concord N.H. Thursday, June 18, 1998 No. 58

Contains: Hearings, Notices, Work Sessions, Governor's Veto Message on HB 1414, Committee of Conference Statements

HOUSE CALENDAR

NOTICE

MEMBERS OF THE HOUSE:

Today the House welcomes the Merrimack Friars Youth Unified Basketball Team, the New Hampshire Special Olympics gold medal winners.

My thanks to the members who worked so hard to reach agreement on all the committees of conference. This process can be frustrating, but it is also very productive. The results of all these efforts will be voted on today.

Donna Sytek, Speaker

NOTICE

There will be a Republican Caucus on Thursday, June 18th at 10:00 a.m. in Representatives Hall.

Rep. Robert Wheeler, Majority Leader

NOTICE

There will be a Democratic Caucus on Thursday, June 18th at 9:30 a.m. in Rooms 305-307 of the Legislative Office Building.

Rep. Peter Hoe Burling, Democratic Leader

NOTICE

There will be a Chairmen's and Vice Chairmen's meeting on Thursday, June 18th at 9:30 a.m. in Room 103 of the State House.

Donna Sytek, Speaker

HOUSE DEADLINES

House Rule 64:

June 10, 1998 - Last day to act on all bills, excluding those related to the Claremont decision.

June 16, 1998 - Final day to sign-off all Committee of Conference Reports at 5:00 p.m., excluding those related to the Claremont decision.

June 18, 1998 - Last day to act on Committee of Conference Reports, excluding those related to the Claremont decision.

June 22, 1998 - All bills to the Governor, excluding those related to the Claremont decision.

And that after June 4, 1998, any bills or messages which are received from the Senate concerning the Claremont decision shall be subject to deadlines to be established at a future date.

PROPOSED ADDITIONAL HOUSE DEADLINES

September 9, 1998, Wednesday

First day for incumbents who are candidates for the House to file LSR's with complete information.

October 5, 1998, Monday

The 10-day sign-off deadline begins (Rule38 (b))

October 30, 1998, Friday

Final day to file, with the Clerk of the House, all 1998 interim study reports.

November 4, 1998, Wednesday

First day for new members to file LSR's with complete information.

November 6, 1998, Friday

Final day to file, with complete information, all bill drafting requests from 1998 interim study work.

Reps. Robert L. Wheeler and Peter Hoe Burling

COMMITTEE OF CONFERENCE STATEMENTS

SENATE BILLS

CONSENT CALENDAR

SB 205, establishing a special school district to provide special education eligible inmates in the state prison system.

The conferees found it was necessary to change the effective date from July of 1998 to January of 1999. The date change was necessary to allow the Department of Corrections to include the appropriation for necessary personnel in their budget for next year.

Rep. Jane E. O'Hearn

SB 333, allowing any registered voter who is unable to vote in person, by reason of extended work hours, lack of transportation, or illness in the family, to vote by absentee ballot.

The Senate acceded to the House position. Therefore, there are no changes.

Rep. Ann M. Torr

SB 339, relative to the bidding for design and construction of a new medium security prison in the city of Berlin and to the closure of the lakes region facility and making appropriations therefor.

Since this is the Senate version of HB 1100, the prison bill, all parties agreed to disagree on SB 339.

Rep. Gene G. Chandler

SB 400, relative to withdrawal of a school district from an area district.

The House position on withdrawing from AREA agreement was essentially upheld by the Committee of Conference. One sentence in the House version was removed when it became clear that its practical effect would have been far more sweeping and restricting than originally intended.

Rep. Warren C. Henderson

SB 421, relative to timber harvesting and penalties for timber trespass.

The Senate and House conferees concurred on SB 421 as amended in the House and further amended in the Conference Committee. The Conferees added a new paragraph to allow a person to cut up to 10,000 board feet of logs, 20 cords of wood or an equivalent in whole tree chips from his own land for land conversion purposes within a municipality. Those persons intending to convert the use of their land will be required to have all local and state permits necessary for this conversion.

Rep. H. Charles Royce

SB 429, relative to the confidentiality of drivers' motor vehicle records.

During the Committee of Conference the Senate conferees deemed the House version unacceptable. When asked what the Senate would like to change, the response of the Senate conferees was the whole bill. This was totally unacceptable to the House conferees. At that point we agreed to disagree.

Rep. Sherman A. Packard

SB 440, relative to fines payable to the division of motor vehicles; allowing civil bench warrants for defaults on such fines; authorizing bail commissioners to receive certain civil fines and fees, and authorizing the division of motor vehicles to report those in default to a consumer reporting agency.

During the Committee of Conference we amended one paragraph to remove language that might have offered someone the chance to offer false information to the police or Department of Safety concerning the fact that someone might be in default for not paying.

Rep. Sherman A. Packard

SB 488, directing the department of environmental services to create a model for managing the flow of water in the Winnepesaukee River watershed and creating an advisory committee.

The Senate agreed with the House and concurred with the House amended version of this bill.

Rep. H. Charles Royce

SB 490, relative to life and accident and health insurance and relative to certain salaries.

The position of the House prevailed.

Rep. John B. Hunt

SENATE BILLS

REGULAR CALENDAR

SB 102-FN, relative to the possession of certain weapons in the commission of a violent crime.

This bill is a compromise that makes it a class A misdemeanor to use certain dangerous weapons, including slung shot and metallic knuckles, during the commission or attempted commission of a violent crime. Current law is broader in that it applies to the use of a weapon in the commission of any offense and also makes it a misdemeanor to be armed with a dangerous weapon when arrested even where that weapon has not been used in the commission of a crime.

Rep. L. Randy Lyman

SB 197, relative to final dispositional orders in child protection cases.

The bill allows additional appeals under the abuse and neglect laws by any person subject to administrative decisions. It also expands the definition of final dispositional order to include rulings from administrative hearings initiated by any agency where a finding of abuse and neglect was made, including the Department of Health and Human Services. The compromise agreement does not include the provision in the House version which prohibited the appointment of attorneys to represent individuals at administrative hearings or the provision requiring that guardians ad litem at de novo hearings shall be CASA (volunteer) guardians ad litem.

Rep. Terence R. Pfaff

SB 344, clarifying requirements regarding certain trusts.

The new amendment agreed upon by House and Senate conferees addresses the concerns of the House regarding trustee's compensation. The House wanted the beneficiaries to agree prior to using principal of the trust for paying bank fees.

Rep. John B. Hunt

SB 352, relative to continuing education requirements for electrologists.

Senate and House conferees agreed on a compromise for the number of hours that electrologists will require for re-licensure. The House originally passed the bill requiring twenty (20) hours per every two year period; however, we agreed to a lesser amount of ten (10) hours every two years. It was agreed concurring with the House position that five (5) hours must be acquired in a live, didactic, program of continuing education.

Rep. Maurice E. Goulet

SB 397, relative to the composition of the pharmacy board.

The House and Senate could not come to an agreement to change the composition of the pharmacy board. The position of the House was to add one additional public member, with which the Senate choose not to agree. With this non-concurrence, the bill dies.

Rep. Maurice E. Goulet

SB 437, requiring a one year mandatory prison sentence for a third DWI conviction.

The conferees met and made some minor wording changes to Section 1, paragraph 2. The reasons for the changes were two-fold: to make this bill compatible with HB 1129 which has already passed both bodies, and to make sure that the required substance abuse treatment starts as early as possible.

Rep Andrew Christie, Jr.

SB 451, relative to the accessibility of pupil assessment materials and the anonymity of pupil assessment results.

The Senate conferees agreed to the House version with a few changes. They are: the parent will be able to view his or her child's test and supplemental questions necessary to administer the test. The parent will be able to request and view the materials at the local school. This bill will give parents no fewer rights than accorded to them under the Federal Family Educational and

Privacy Rights Act.

Rep. Susan B. Durham

SB 473, relative to child day care providers.

This bill was originally a product of a 1997 study committee on day care providers. That committee worked very hard and met many times with providers and the agency did come up with the original bill. It passed the Senate and House Health and Finance Committees. Because of the amendment relative to procedures for background criminal checks for school employees and volunteers that was removed from a House bill by the Senate, the House replaced this criminal history check in SB 473. The Senate non-concurred. The Committee of Conference met and corrected the language and grammar and kept the criminal history records with the New Hampshire State Police instead of local schools.

Rep. Lawrence A. Emerton

SB 475, relative to medicaid reimbursement rates and dental care.

The Senate bill proposed to permanently increase Medicaid reimbursement rates for dental services to children from the current 65% to 73% of the usual and customary costs for such services. The House amended the bill to a two-year pilot program, in order to determine whether the increase in payments would result in an increase in the number of eligible children who actually received such dental services. In addition, the House version required Fiscal Committee approval of any executive branch decision to increase eligibility levels for general fund programs tied to the federal poverty level and added a \$1.5 million appropriation to the Office of Emergency Management as the required state match for federal funds received as a result of the January 1998 ice, snow and wind storms and their associated damage. The Committee of Conference eliminated the Medicaid reimbursement rate increase for dental services to children; limited the eligibility provision so that it applied only to the proposed expansion of the Medicaid-related children's health insurance program, capping eligibility for the program at 250% of the federal poverty level (\$41,250 for a family of four); and retained the appropriation for the January storm state match.

Rep. Neal M. Kurk

SB 494, establishing the voluntary small employer health insurance purchasing alliance.

The Senate conferees were interested in establishing a commission to look into creating regional health alliances. However, after a short debate, the Senate conferees agreed that a study committee would be the more practical approach and the Senate receded from its position and adopted the House position.

Rep. Keith R. Herman

SB 502, allowing federal judges to perform marriages after obtaining a special license.

This bill creates a special license to allow federal judges, who cannot serve as justices of the peace, to perform marriages in New Hampshire. The Senate accepted the House version of this bill with a single amendment requiring a \$25 fee for each marriage performed. The House conferees accepted this change to allow legislation to move forward.

Rep. Andrew R. Peterson

HOUSE BILLS

CONSENT CALENDAR

HB 170, exempting temporary, demountable, plastic-covered greenhouses from property taxation.

The bill concerns demountable, plastic covered greenhouses. The conferees were able to resolve a variety of technical differences between the House and Senate versions of the bill. The critical differences had to do with defining what is "permanent" and thus taxable. The House conferees wanted to be sure that the language is not so broad as to create property tax exemptions for nonagricultural purposes. The conferees are satisfied that this has been achieved in the compromise version.

Rep. David W. Hess

HB 204, granting responsibility for court security and custody and control of prisoners while in the courthouse to the county

sheriff and providing for state reimbursement of the sheriff for the costs of such security services.

The Senate conferees agreed with the House position on the bill.

Rep. Bruce F. Hunter

HB 529, relative to excluding from the definition of subdivision the placement and maintenance of wireless communication facilities.

The conferees changed the effective date of this legislation to June 1, 1999 in order to give municipalities the opportunity to amend their land use ordinances, if necessary. No other changes were made.

Rep. Cynthia J. Dokmo

HB 555, exempting an individual's pensions and individual retirement accounts from bankruptcy attachment.

The House and Senate both receded from their positions and concurred on a new amendment. The amendment clarifies that after January 1999 no pension vehicles (Roth, IRA, etc.) can be attached. This change in state law is to put all pension systems on an equal footing. Right now only 401's, 403's etc. are exempt and that is by federal law. This is to protect the little guy to the same extent as those who work for larger corporations.

Rep. Sandra B. Keans

HB 798, relative to the regulation of health clubs.

The Committee of Conference amendment deletes the requirement that private schools must come under this law for non student customers. The amendment also clarifies the disclaimer that the clubs must make to new customers to follow the changes the Senate made in their version of the bill.

Rep. John B. Hunt

HB 1118, relative to the expiration of contact lens prescriptions.

The original bill extended the contact lens prescription law from six months to one year. The Senate amended the bill to include various educational requirements for opticians. This amendment was a problem with various portions of the optician community. After further discussions by the different interests, a compromise amendment was agreed to by the conferees.

Rep. Lawrence A. Emerton

HB 1123, relative to the control of wolf hybrids.

This legislation seems to get revisited every couple of years because of various reasons, but mostly because wolf-hybrids are almost impossible to identify as a specific breed. It became almost a fad in the 1980's (or even before) to own a wolf dog. Wolves, when crossed with domestic dogs, can be volatile and dangerous. Consequently, the legislature has tried to control the "species" for the sake of public safety. The enforcers, however, couldn't enforce our laws because owners refused to admit that they owned a wolf-hybrid. The House didn't wish to delve into the subject too deeply this year – the Senate did. The Committee of Conference deleted some technical language like "trading," "giving away," and "acquiring" and settled on banning "sale," "offering for sale," and a continuation with the ban on importing unless spayed or neutered. Sled dogs and others may be imported for competitive events. Both the House and the Senate concurred that the state veterinarian should have broad rulemaking authority to control special shelters established to care for this controversial species.

Rep. Henry P. Mock

HB 1196, relative to coordinating and compiling studies and establishing a lead education program concerning the effects of lead on water birds and other wildlife.

This legislation rode tumultuous waves to a successful conclusion as the House Wildlife and Marine Resources Committee lived up to its responsibilities to wildlife and the citizenry by acting upon its knowledge of the dangers of lead in our environment. The Senate amendment to ban the sales of lead sinkers and jigs less than an ounce in size for use in the freshwaters of the state "stuck in our crop" as totally unenforceable. As a committee dedicated to "attention to detail," we constructed a compromise bill, and the Senate conferees concurred, that banning the use of lead sinkers and lead-headed jigs less than one inch in size in all

freshwater lakes and ponds effective January 1, 2000, was the effective route to go. The lead education program remains intact and should be an effective tool toward protecting our wildlife and our environment.

Rep. Henry P. Mock

HB 1303, continually appropriating boating fees and other revenues to the division of safety services.

The Senate agreed with the House position which puts the unrefunded road tolls into the general fund. The revenue that is generated from motor boat registration and boat fines will be deposited into a non-lapsing fund for the purpose of funding navigation safety and enforcement. This would result in a \$400,000 increase in the next fiscal year for the protection of our waterways.

Rep. Arthur P. Klemm, Jr.

HB 1307, relative to penalties for habitual offenders.

The intent of this bill was to limit the authority to vacate convictions that are listed in RSA 259:39, the Habitual Offender statute. The Committee of Conference clarified the last part of the Records Annulment Section of RSA 262:19 by stating in plain language that a record for a violation may be removed after one year unless the underlying conviction was for a violation specified under RSA 259:39 (the list of offenses that qualifies a person to be a habitual offender). Doing this eliminates any confusion that may exist in asking for records to be vacated, expunged, etc.

Rep. Bruce F. Hunter

HB 1336, defining medical necessity for managed care insurance purposes.

The House would have concurred with the Senate amendment last week if we had received it prior to our departure. House conferees agreed with the Senate version of the bill.

Rep. John B. Hunt

HB 1339, regulating the sale by mail of liquor, wine, and beer.

This bill authorizes regulation of the direct shippers of liquor, wine and beer to a New Hampshire location. The agreed upon amendment would provide funding for one liquor examiner to enforce this act, plus benefits, current expenses and a vehicle. The cost would be \$54,744. The Liquor Commission has estimated revenue of at least \$60,000.

Rep. Franklin G. Torr

HB 1384, making an appropriation for use by the New Hampshire Commission on the Smithsonian Festival of American Folklife.

The Senate agreed with the House position of contributing \$200,000 over the current biennium to the New Hampshire Commission on the Smithsonian Festival of American Folklife. In the summer of 1999, New Hampshire will be the featured state in a special exhibition at the Smithsonian Institution in Washington, DC. The festival is expected to attract over 1.2 million international and national visitors and will clearly serve as a major component of New Hampshire 1999 tourism and economic development promotional activities. This money will be joined by an additional \$2,000,000 in corporate and philanthropic gifts as well as federal funds which will comprise a total commission budget of \$2,200,000.

Rep. Arthur P. Klemm, Jr.

HB 1389, relative to agreements for telecommunications-related uses of the state highway system.

The Senate version of the bill was changed to be consistent with the language of the federal communication regulations.

Rep. Winston H. McCarty

HB 1471, allowing loss of familial relationship damages in wrongful death actions.

The Senate amendment merely caps such damages awarded under this legislation at \$50,000 per individual claimant. The House conferees agreed with the Senate amendment.

Rep. John J. McCarthy

HB 1481, granting rulemaking authority to the executive director of fish and game to determine the legal length of lobsters.

The House nonconcurred with a Senate amendment to the House version which inadvertently included an RSA in a section of the bill. The inclusion of RSA 211:39 would have prevented transportation of oversized lobsters on land which was not the intent of the legislation. The House and Senate conferees agreed to a new amendment striking RSA 211:39 from the Senate version of the bill.

Rep. Ronald J. Nowe

HB 1514, setting the biennial rate for the medicaid enhancement tax.

The bill was filed to renew the 6% hospital tax. The tax runs for two years, and expires April 1st of the odd year. Because April 1st occurs early in the legislative session, it was thought that the tax should be renewed in the even year so that it would be in place for April 1st, 1999.

The Senate disagreed, and felt that the expiration date was the problem. Its amendment changed the date to May 15. House conferees felt that was still too early in the session to set the rate appropriately. The compromise agreed to is that the rate will expire May 30th of each odd-numbered year. A bill to set the rate will be filed for next session.

Rep. Kenneth L. Weyler

HB 1531, relative to reimbursement for removal of petroleum storage facilities from the oil pollution control fund.

The Senate receded from its position of adopting its amendment to the bill and the House and Senate conferees agreed to pass the bill as amended by the House.

Rep. Michael D. Whalley

HB 1540, allowing non-banks to establish cash dispensing machines.

The House version of this bill was adopted. It allows non-banking establishments to have cash dispensing machines which are operated for a limited purpose. They cannot handle deposits, loan payments or account transfers. There is a required fee and certain information must be provided to the banking department. The House version provided for less regulation than the Senate version.

Rep. John B. Hunt

HB 1555, relative to including revocable trusts for medicaid estate recovery purposes.

This bill was introduced to recognize the expanded definition of common law allowed under the Omnibus Budget Reconciliation Act of 1993 adopted by the Congress of the United States. HB 1555-FN would allow the state to recover medical costs paid on behalf of a medicaid recipient from the assets, both real and personal, of a revocable trust. The Senate amendment deleted language requiring the trustee of the revocable trust to notify the state, since nursing home providers are already required to notify the state of a recipient's death within a reasonable time. The bill, if signed into law, affects revocable trusts established after January 1, 1999, the effective date. The House conferees agreed with the Senate version of the bill.

Rep. O. Alan Thulander

HB 1558, relative to games of chance.

This bill as adopted by the House completely rewrote the statute governing charitable games of chance, so-called Monte-Carlo Nights. The Senate amended the bill in two ways. First, it eliminated all restrictions on the hours of operation for such games. Second, it changed the definition of "charitable organization" (a) by deleting the requirement that such an organization be registered with the Secretary of State, (b) by deleting the requirement that an organization running a game of chance exist in the town or city in which the game is being conducted and (c) by adding a requirement that charitable gaming not be one of the "primary activities" of the organization. The Committee of Conference retained the new requirement (c), restored requirement (a) and accepted the Senate deletion of (b) which leaves the law unchanged from its present form. The Senate agreed to restore the restriction on hours of operation, but the conferees extended the closing hours for such games from 11:00 p.m. to 1:00 a.m.

Rep. David W. Hess

HB 1561, preventing computer pornography and child exploitation and increasing penalties for possession under the child pornography laws.

The Committee of Conference conferees acceded to the Senate amendment. The bill establishes penalties for child pornography, exploitation and abuse offenses committed by means of computer. The bill makes owners and operators of computer services criminally liable for knowingly permitting subscribers to utilize their services to commit such offenses. The bill makes it an affirmative defense under the child pornography laws that material disseminated was available in any public library in the state. The bill also increases the penalty for possession offenses under the child pornography laws from a misdemeanor to a class B felony. Two changes were made by the Senate: (1) if material is available in a public library, an individual charged with child pornography could raise that issue at trial as an affirmative defense, (2) it permits an individual charged with child pornography to argue entrapment as an affirmative defense at trial.

Rep. Bruce J. Hunter

HB 1575, relative to highway modifications on lands acquired through the land conservation investment program.

The Senate amendment to this bill would have required the Council on Resources and Development (CORD) to notify the "landowner, local governing body, conservation commission and abutters" prior to requesting authority to execute an exchange of interest in state-owned lands. The House pointed out that notification of landowner in this instance means the State notifying itself. It was also pointed out that there would be an indeterminable, but probably high cost to the state in notifying abutters when large state-owned tracts are involved. As usual, the Senate accepted the wisdom of the House and agreed to delete "landowner" and "abutters" from the notification clause as indicated in the agreed Committee of Conference amendment.

Rep Merle W. Schotanus

HB 1629, relative to walking disability plates and placards.

This bill was amended in the Senate to add to RSA 261:88,I,(c)(6) the words "or other medically debilitating" [conditions], which would then conform to DSMV 16 form. No change will be required for the form. The House conferees agreed with the Senate amendment.

Rep. Sherman A. Packard

HOUSE BILLS

REGULAR CALENDAR

HB 559, allowing courts to impose an extended term of imprisonment upon persons of any age who have committed certain crimes against persons under 13 years of age.

This bill establishes that any person convicted of crimes (defined in RSA 630:3,I Negligent Homicide) against a person under 13 years of age who was in the care or under the supervision of the defendant can be subjected to the "extended term of imprisonment" provision of the law at the judge's discretion. This is a compromise position.

Rep. L. Randy Lyman

HB 587, relative to the system benefits charge.

The House conferees agreed with the Senate position that there should be one (not two) members of the House and Senate on the Nuclear Decommissioning Finance Committee. The Senate agreed with the House that the systems benefits charges that the Public Utilities Commission may set as part of electric utility restructuring be capped at 2 ½ tenths of a cent in year one of restructuring and 3 tenths of a cent in year two. Currently no caps exist.

Rep. Jeb E. Bradley

HB 630, relative to additional voluntary contributions to provide for early retirement by members of the retirement system.

The House agrees with the Senate amendment that this program requires an affirmative vote by the legislative body, either as

an article of the warrant or part of a collective bargaining agreement, before it becomes effective. The House and Senate agree on an additional amendment that makes the effective date June 30, 1998 and permits contributions under the statute to begin on January 1, 1999. This amendment is to allow the New Hampshire Retirement System time to make the necessary changes in the computer program to insure a smooth application. This time frame is agreeable to all parties and will not hamper any retirement plans.

Rep. Merton S. Dyer

HB 707, relative to municipal taxation of telecommunications poles and conduits.

After long, difficult and contentious negotiations, the conferees reached agreement on truly compromise legislation concerning the taxation of telecommunications company real property. This bill is intended to protect our towns and cities from losing property tax revenues by treating telecommunications and electric utility property more nearly alike. It subjects all structures, poles, towers and conduits of telecommunications companies to the local property tax. It exempts only conduits and wooden poles from the tax, and then only until July 1, 1999. In addition, it makes this exemption severable if the Supreme Court finds that it is invalid. This compromise was agreed to by representatives of both the telecommunications industry and our local towns and cities and is revenue neutral to both the towns and the State.

Rep. David W. Hess

HB 1000, relative to a 10-year transportation plan and authorizing construction on the Spaulding Turnpike.

The House conferees agreed with the Senate amendment to allow, with the Department of Transportation district engineers approval, fuel and milk trucks to make deliveries over posted roads. It also asks the DOT Commissioner to make a report on the feasibility of certain North Country roads to be added to the National Highway System. No other changes were made to this bill which is the 10-year highway plan.

Rep. Gene G. Chandler

HB 1100, relative to the design and construction of a new medium security prison in Berlin and making an appropriation therefor, removing the population cap and closing date for the lakes region department of corrections facility, authorizing the department of corrections to establish 2 additional halfway houses and appoint additional probation and parole officers, and making adjustments to the operating budget for fiscal year 1999.

The agreement reached by the conferees on HB 1100 represents a comprehensive long-term solution to New Hampshire's prison population problem. According to the terms of this agreement the Laconia facility will remain open permanently and its capacity will be doubled to a maximum of 600 inmates. The prison proposed in Berlin will be built. Two new halfway houses will be added to the system and 17 new corrections employees will be hired. Together, these actions mean that we no longer need to look at interim steps and temporary measures. For the foreseeable future our prison housing problems have been solved.

HB 1100 commits the state to provide some important infrastructure benefits to the City of Laconia, including leasing to the City of Laconia three parcels of undeveloped land (about 30 acres) which are separate from the correction facility property. The state will construct and illuminate two baseball fields and illuminate a tennis court on this land. Through the federally-funded boat launch program the state will construct a public boat access and toilet facility at Ahern State Park and, through the Transportation Enhancement Program, the state will make application for sidewalks to be built along Routes 3 and 11-B (80% federally-funded) during the next round of funding.

While the House is always cautious in spending the taxpayers' money, it is clear that the agreement we reached is the most cost-effective way to solve the prison overcrowding problem.

Rep. Gene G. Chandler

HB 1103, relative to the state representative districts and towns.

The House conferees accepted the Senate amendment which changed the appointing authority of the town for a redistricting commission. The Senate conferees acceded to the House request that misunderstanding as to whether the selectmen or the town meeting are the "governing body" be avoided by inserting a reference to RSA 672:6 which provides the necessary definition.

Rep. Thomas I. Arnold, Jr.

HB 1169, clarifying the authority of the ballot law commission relative to the examination of programs used to count votes.

The House agreed to the Senate amendment on this bill with the exception of a provision exempting the Ballot Law Commission from the requirements of RSA 541-A.

Rep. Janet S. Arndt

HB 1205, making technical corrections to the securities laws.

This bill as it came from the Senate had SB 340 attached to it as an amendment which created an impasse. HB 1205 dealt with technical changes to the security laws and SB 340 dealt with the elimination of filing fees for securities in a combined prospectus which are not offered for sale in New Hampshire. Dropping said fees, it was claimed, would result in the loss of revenue to the State. However, no firm figures were presented to substantiate this claim. To break the impasse, the conferees amended this bill to provide for a statutory study committee to determine the actual financial impact of eliminating the charge for securities in a combined prospectus not for sale in New Hampshire.

Rep. Eric N. Lindblade

HB 1217, relative to balancing the operating budget.

The House conferees agreed to the amended Senate version. The amendments provided for the state to place a lien on the Drega property in Columbia after the state pays Colebrook for the fire department bill sent Columbia for fire services requested by the State of New Hampshire and provided by the Town of Colebrook. Further, the amended version deletes the section on the appropriation to the Office of Emergency Management.

Rep. Robert G. Holbrook

HB 1234-FN, establishing an office of volunteerism.

The House conferees agreed with the Senate amendment. The amendment states that volunteers working under the umbrella of the Office of Volunteerism shall not be used in the enforcement of any law or in any civil or criminal investigation. This amendment will not impact those volunteer consumer protection specialists in the Attorney General's Office.

Rep. Merton S. Dyer

HB 1246, relative to enforcement of oil spillage laws.

The House and Senate conferees adopted a new amendment to the bill as passed by the House. The amendment establishes that any person who willfully violates the provisions of the chapter pertaining to oil spills into or onto the surface water or groundwater shall be subject to a civil penalty not to exceed \$10,000 for each violation. Any person who fails to comply with any rule adopted under the provisions of this chapter shall be subject to a civil penalty not to exceed \$4,000 for each violation and civil penalties for violation of any rule adopted under the provisions of this chapter shall not accrue until the department provides notification of such violation.

Rep. H. Charles Royce

HB 1297, establishing a program of integrated pest management and continually appropriating an integrated pest management fund.

The Committee of Conference on this bill, to fund the continued use and expansion of integrated pest management, voted to accept the amended House version which went to the Senate. In doing so, the committee put the House requested funding back into the bill.

Rep. David L. Babson, Jr.

HB 1310, relative to legislative approval of expenditure of federal and other funds.

The House version of this bill brings the legislature into the process by which the expenditure of non-state funds, i.e., federal aid, bequests, gifts, etc., is approved. Currently, approval by Governor and Council is required; the bill adds Fiscal Committee approval, but only where the expenditure exceeds \$100,000. The Senate added a non-germane amendment to the bill relating to proportionate share funds, which are paid by the federal government based on the differential between county nursing home Medicare and Medicaid reimbursement rates. Currently, all of the non-matching share goes to the state. Under the Senate

amendment, in those years in which more than \$25 million is received, the non-matching share would be divided equally between the state and the counties. Due to an expected windfall in FY 1998, the counties could receive as much as an additional \$4.75 million. There will be no impact on the state budget, as it anticipated that less than \$25 million would be received. The committee of conference agreed to the Senate amendment, making two technical corrections

Rep. Neal M. Kurk

HB 1350, relative to vocational student organizations and making an appropriation for vocational organization advisors.

The House receded from its position of non-concurrence with the Senate amendment at the committee of conference. The Senate amendment added an appropriation of \$150,000. The appropriation is due to errors in cost estimates for the new DRA building on Chenell Drive. This appropriation is for security glass, office equipment and roller files. These items would have been included in the original budget. The contents of HB 1350 remains intact as passed by the House.

Rep. Jane E. O'Hearn

HB 1369, revising the student membership of the university system of New Hampshire board of trustees.

The conferees could not reach agreement on either how many additional students to add to the Board of Trustees of the University System or which educational institutions they should represent. However, the conferees did agree to change the effective date and length of term for the existing student trustee in a manner which all believed would improve the ability of the student trustee to make a meaningful contribution to the university system budget process. That agreement is reflected in the committee of conference report. There was a general sense among the conferees that the issue of adding student trustees should be considered by the University System Oversight Committee.

Rep. Warren C. Henderson

HB 1371, requiring the collection of certain data on children and parents in the state case registry for use in child support enforcement.

The House conferees were only able to reach agreement with the Senate conferees to preserve Sections 1 and 2 of the original bill. While we could not agree with the Senate on the use of social security numbers, the Department of Health and Human Services asked us to pass Sections 1 and 2 as a minimum response to their needs. By doing so, we retain the purpose and intent of the bill and allow the department to include in its repository for information standardized data for children, including dates of birth.

Rep. Terence R. Pfaff

HB 1417-LOCAL, relative to involvement in mediation in collective bargaining negotiations by certain municipalities.

This bill affects only those entities where the "board of the public employer also serves as the legislative body of a political subdivision". The Senate amendment changes the words "political subdivision" to "municipality". The effect of this change exempts the Concord school board, which is also the legislative body, and the University System of New Hampshire, where the trustees are the legislative body. The other 12 communities for whom this bill was written have a separate school legislative body and would therefore be unaffected by the amendment. The House conferees, feeling that the overall intent of the bill remained intact, concurred with the Senate amendment.

Rep. Gary L. Daniels

HB 1448, relative to confidential communication between victims and counselors.

The amended version of this bill expands the definitions of "confidential communication" and "victim" in communications with counselors to include instances of alleged stalking and/or sexual harassment. The non-reporting provision that was requested for domestic violence or sexual assault counselors has been eliminated. Domestic violence and sexual assault counselors are still obligated to comply with the reporting statute RSA 169-G:29. The House agreed with the Senate position to avoid losing the bill.

Rep. L. Randy Lyman

HB 1501, relative to amending certain provisions of the charter school law.

The original bill resulted from the Charter School Oversight Committee 1997 deliberations and hearings and was limited to

technical improvements in the charter school law concerning indemnification, liability, timely average cost per pupil data, and school board/charter school information reporting. The Senate added one technical change on putting the limitation question to the school district voters that was agreeable to the House conferees. Further Senate amendments to the charter school approval process never had a House Education Committee hearing and were deleted from the final approved Committee of Conference report.

Rep. William S. Belvin

HB 1517, establishing a fund for dredging to maintain harbors in New Hampshire.

This bill establishes a fund regarding dredging projects on the seacoast and a limited version of the Senate amendment regarding the Town of Greenville water system. The water system is the only municipal water system owned by the State of New Hampshire and it is in dire need of replacement to not only comply with all state and federal regulations but provide potable water to the residents. The reduced version of the bill provides an appropriation of \$400,000 in fiscal year 2000 which allows the town to apply for grants and loans to install a new system. A further part of the agreed version transfers ownership of the system from the state to the town.

Rep. Gene G. Chandler

HB 1520, relative to primary petitions, political expenditures, and the jurisdiction of the ballot law commission.

The Committee of Conference agreed that petitions filed would be alphabetized according to the municipality of the voter's domicile and agreed to delete the requirements for a notary on petitions. The amended bill also allows state candidates to file their campaign disclosure reports electronically. The conferees also agreed effective this year no candidate for state office in a multi-seat district may receive the nomination of more than one political party. The conferees agreed that in determining order on the ballot, the candidate of the party receiving the most votes would be listed first. In those cases in which candidates are cross-endorsed, votes received by the candidate will be attributed to the party in which the candidate is registered.

Rep. Janet S. Arndt

HB 1655, relative to the authority of the length of service awards program committee and making an appropriation therefor.

This bill was amended to incorporate language that would serve as a protection to the investors in the deferred compensation plan by establishing a trust under section 457 (g) of the Internal Revenue Code. The House conferees agreed to expansion of board members from five to eight as amended by the Senate. Further amendments were made to RSA 101-B:3 requiring requests for proposals to competitive bidding for administrator or custodian of deferred compensation. The commission shall issue requests when it deems appropriate, but contracts shall not exceed 10 years. RSA 101-B:5 relative to investments allows the commission more flexibility in its choice of where investments are directed. RSA 101-B:8 allows the commission to employ a consultant for request for proposals and other administrative practices or auditing services. The funds utilized shall be funds not otherwise appropriated and not to exceed \$10,000.

Rep. Robert K. Dodge

STATEMENTS ON BILLS NOT SIGNED OFF

SB 73, providing the telecommunications poles and lines be subject to the property tax.

Because of the agreement reached on HB 707, SB 73 became redundant and the House conferees voted to disagree with the Senate conferees.

Rep. David W. Hess

SB 312, relative to the health care transition fund.

The Senate members did not agree with the House position that legislative oversight and approval of the settlement reached between the Department of Health and Human Services and the county nursing homes was appropriate and necessary. The settlement amount included an escalator clause for future provider payments which exceeded the $\frac{1}{4}$ of 1% of the gross general revenues received by the state in the prior year, and so the House position was that legislative approval was required by existing law. No compromise position could be reached and the Committee of Conference agreed to disagree.

Rep. O. Allan Thulander

SB 353, relative to official ballot procedures.

The original Senate bill contained an April timeline which the House amended to address the very narrow problem of fiscal year towns that have May town meetings and official ballot voting. The Senate version included changes to the election law that the conferees felt were beyond the scope of official ballot procedures. The House conferees would not accede to the Senate timeline and the Senate would not agree to the bill without their timeline.

Rep. Betsey L. Patten

HB 385, relative to reporting and registration requirements for lobbyists and employees of lobbyists.

The conferees met and agreed to three changes. There was however one committee member unable to attend and upon review late Tuesday afternoon found himself unable to concur and this determined the fate of this bill.

Rep. Robert L. Wheeler

HB 583, relative to felonious disarming of a law enforcement officer.

The Committee of Conference attempted to amend this bill to extend the current program of "instant criminal record background checks" for firearm purchase due to expire on November 30, 1998. Substantial agreement was reached to extend the program but the Senate conferees wanted to alter the program and add conditions not allowed under the federal "Brady Act." The House conferees signed off on its proposal with agreed to changes and the Senate refused to sign.

Rep. Bruce F. Hunter

HB 749, relative to disability retirement benefits for retirement system members permanently incapacitated for duty.

The House and Senate were unable to agree to the wording of the bill. The bill would require the applicant for disability retirement to have the burden of proving causation if the member enters into a lump sum settlement of an injury claim. The retirement system shall grant disability retirement if the applicant met at least one of the requirements for disability retirement.

Rep. Merton S. Dyer

HB 1236, relative to limitations on the amendment of warrant articles in official ballot voting.

This bill, as amended by the House, removed a section of the original bill which stated that warrant articles petitioned by a certain number of voters shall not be amended. The Senate re-inserted that section and the House conferees could not agree with reinsertion of that paragraph.

Rep. Katherine H. Metzger

HB 1341, relative to temporary seasonal docks on lakes and ponds.

The House and Senate conferees were unable to reach an agreement on this legislation.

Rep. Michael D. Whalley

HB 1541, creating a position in the insurance department.

Since the Senate was unwilling to fund the position either this biennium or the next, there was no need to go forward with this legislation.

Rep. John B. Hunt

HB 1545, increasing the salaries and changing the terms of office of the labor commissioner and the deputy labor commissioner.

Copies of the latest House (1111h) and Senate (2096s) amendments were distributed and discussed. The difference between these amendments was the House version contained labor grade revisions for the Labor Commissioner and Deputy Commissioner and the Senate version did not contain the revisions. A list of other state employee positions that were due labor

grade changes was presented. It was felt if one position was changed, all positions should be changed. The committee conferees unanimously voted that they could not reach an agreement.

Rep. Raymond F. Langer

GOVERNOR'S VETO MESSAGE ON HB 1414

June 5, 1998

To the Honorable Members of the General Court:

I have this day vetoed House Bill 1414, An Act relative to review of non-renewal of teacher contracts.

Professional improvement of our state's teaching corps is a high priority of my administration. Research has shown that the single most important measurable cause of increased student learning is teacher quality. Since I have become Governor, the State Board of Education has already taken steps to institute higher standards for people entering the teaching profession. These include a new competency testing requirement that will go into effect in September and a new content testing requirement that will go into effect next July. In addition, the State Board of Education is undertaking a complete review of professional standards for the recertification of all educators, including teachers, instructional specialists, and administrators. Their report is due in two weeks.

My administration is working on a Best Schools initiative that will be aimed at the professional development of teachers and administrators employed in our public schools to arm them with state-of-the-art skills and knowledge in educational leadership and instructional practices. By placing our children in the care of a better trained educational workforce, we can expect to see positive gains in student achievement.

The Advancing Better Classrooms legislation I submitted this session includes measures to improve performance and accountability in our schools. If enacted into law, the ABC Plan will require the State Department of Education to issue an annual report card evaluating schools and school districts. Several states have found that this type of report card is the most effective motivator for improved performance of teachers and administrators, even more so than financial incentives. The ABC Plan will also require local school districts to develop local school improvement plans with the involvement of parents, employers, and other community members. Districts that do not make progress toward the goals set in their local school improvement plans will receive technical assistance from the State.

A lengthy and costly process for terminating ineffective teachers does not serve anyone. It does not serve our children, who deserve only highly competent teachers. It does not serve teachers themselves, who deserve to teach in a professional environment where they are surrounded by colleagues who strive to excel. Teachers should have no expectation of life-time tenure.

H.B. 1414, however, offers a simplistic response to the complicated problem of ensuring good teachers.

H.B. 1414 would prohibit local school districts and local teachers' associations from *agreeing* to include binding arbitration as a means of resolving disputed teacher terminations in future collective bargaining agreements. As such, H.B. 1414 would conflict with our long tradition of local control.

H.B. 1414 fails to address the need for sound teacher evaluation policies and does nothing to streamline the non-renewal process in districts that currently do not use binding arbitration.

Fewer than half of New Hampshire school districts currently have binding arbitration terms in their collective bargaining agreements. Therefore, H.B. 1414 does nothing to streamline the process for teacher termination in most of our school districts.

All of the participants in our public school system must be made more accountable if we are to improve education in New Hampshire. Parents, students, teachers, administrators, local school boards, and the State all share the responsibility for ensuring that the education we offer our children is excellent.

While it is teachers who provide direct instruction to our students, it is the responsibility of administrators to ensure the performance of teachers and other staff and the responsibility of local school boards to set standards

and hire teachers and administrators.

H.B. 1414 fails to address the responsibilities of administrators and school boards to ensure that only the best teachers are in our classrooms. School districts in New Hampshire that have sound teacher evaluation systems experience few challenges to their decisions to terminate teachers. When a school district has good teacher evaluation policies and administrators who carry out those policies, carefully monitoring and documenting the performance of teachers, teachers who are non-renewed understand and accept the reason for their termination.

A sound teacher evaluation system expedites the process of teacher non-renewal. When teacher evaluations are not done or if the evaluations are not conducted well, ineffective teachers remain in the classroom. It is the children who bear the burden when sound school management and governance practices are not in place.

I recognize that there is more we can and should do to make sure that only qualified, competent teachers are in our classrooms. We need to find a more effective way to address the issues of streamlining teacher termination and the need for sound teacher evaluation policies. To accomplish this, I will ask a committee of New Hampshire citizens consisting of representatives of all concerned parties to work on this problem over the next several months and make recommendations for necessary changes in state law.

H.B. 1414 simply does not address the real problems in teacher performance, but rather diverts attention away from those real problems. Therefore, today I am vetoing House Bill 1414.

Respectfully submitted,

Jeanne Shaheen

Governor

COMMITTEES OF CONFERENCE

HB 170, exempting temporary, demountable, plastic-covered greenhouses from property taxation. **REPORT FILED**

HB 204, granting responsibility for court security and custody and control of prisoners while in the courthouse to the county sheriff and providing for state reimbursement of the sheriff for the costs of such security services. **REPORT FILED**

HB 385, relative to reporting and registration requirements for lobbyists and employees of lobbyists. (Reps. Wheeler, Lozeau, Hager and A. Merrill; Sens. Russman, Danais and J. King)

HB 505, relative to smoking in indoor public places. **SENATE REFUSED TO ACCEDE**

HB 529, relative to excluding from the definition of subdivision the placement and maintenance of wireless communication facilities. **REPORT FILED**

HB 555, exempting an individual's pensions and individual retirement accounts from bankruptcy attachment. **REPORT FILED**

HB 559, allowing courts to impose an extended term of imprisonment upon persons of any age who have committed certain crimes against persons under 13 years of age. **REPORT FILED**

HB 583, relative to felonious disarming of a law enforcement officer. (Reps. Hunter, David Welch, Lyman and Knowles; Sens. D. Wheeler, Francoeur and Blaisdell)

HB 587, relative to the system benefits charge. **REPORT FILED**

HB 630, relative to additional voluntary contributions to provide for early retirement by members of the retirement system. **REPORT FILED**

HB 707, relative to municipal taxation of telecommunications poles and conduits. **REPORT FILED**

HB 749, relative to disability retirement benefits for retirement system members permanently incapacitated for duty. (Reps. Dyer, Mercer, Klemm and Robertson; Sens. Fraser, Squires and Blaisdell)

HB 798, Relative to the regulation of health clubs. **REPORT FILED**

HB 1000, relative to a 10-year transportation plan and authorizing construction on the Spaulding Turnpike. **REPORT FILED**

HB 1100, relative to the design and construction of a new medium security prison in Berlin and making an appropriation therefor, removing the population cap and closing date for the lakes region department of corrections facility, authorizing the department of corrections to establish 2 additional halfway houses and appoint additional probation and parole officers, and making adjustments to the operating budget for fiscal year 1999. **REPORT FILED**

HB 1103, relative to the state representative districts and towns. **REPORT FILED**

HB 1118, relative to the expiration of contact lens prescriptions. **REPORT FILED**

HB 1123, relative to the control of wolf hybrids. **REPORT FILED**

HB 1169, clarifying the authority of the ballot law commission relative to the examination of programs used to count votes. **REPORT FILED**

HB 1196, relative to coordinating and compiling studies and establishing a lead education program concerning the effects of lead on water birds and other wildlife. **REPORT FILED**

HB 1205, making technical corrections to the securities laws. **REPORT FILED**

HB 1217, relative to balancing the operating budget. **REPORT FILED**

HB 1234-FN, establishing an office of volunteerism. **REPORT FILED**

HB 1236, relative to limitations on the amendment of warrant articles in official ballot voting. (Reps. Metzger, McGuirk, Patten and P. Cote; Sens. Roberge, Rubens and McCarley)

HB 1246, relative to enforcement of oil spillage laws. **REPORT FILED**

HB 1291, relative to management of the state ski areas at Mount Sunapee and Cannon Mountain. **HOUSE AND SENATE ADOPTED REPORT 6/4/98**

HB 1297, establishing a program of integrated pest management and continually appropriating an integrated pest management fund. **REPORT FILED**

HB 1303, continually appropriating boating fees and other revenues to the division of safety services. **REPORT FILED**

HB 1307, relative to penalties for habitual offenders. **REPORT FILED**

HB 1310, relative to legislative approval of expenditure of federal and other funds. **REPORT FILED**

HB 1336, defining medical necessity for managed care insurance purposes. **REPORT FILED**

HB 1339, regulating the sale by mail of liquor, wine, and beer. **REPORT FILED**

HB 1341, relative to temporary seasonal docks on lakes and ponds. (Reps. Whalley, D. Lawton, Royce and Rowe; Sens. Danaïs, Patenaude and McCarley)

HB 1350, relative to vocational student organizations and making an appropriation for vocational organization advisors. **REPORT FILED**

HB 1369, revising the student membership of the university system of New Hampshire board of trustees. **REPORT FILED**

HB 1371, requiring the collection of certain data on children and parents in the state case registry for use in child support enforcement. **REPORT FILED**

HB 1384, making an appropriation for use by the New Hampshire Commission on the Smithsonian Festival of American Folklife. **REPORT FILED**

HB 1389, relative to agreements for telecommunications-related uses of the state highway system. **REPORT FILED**

HB 1417, relative to involvement in mediation in collective bargaining negotiations by certain municipalities. **REPORT FILED**

HB 1430, relative to political expenditure limitation amounts. **HOUSE AND SENATE ADOPTED REPORT 6/4/98**

HB 1448, relative to confidential communication between victims and counselors. **REPORT FILED**

HB 1471, allowing loss of familial relationship damages in wrongful death actions. **REPORT FILED**

HB 1481, granting rulemaking authority to the executive director of fish and game to determine the legal length of lobsters. **REPORT FILED**

HB 1501, relative to amending certain provisions of the charter school law. **REPORT FILED**

HB 1514, setting the biennial rate for the medicaid enhancement tax. **REPORT FILED**

HB 1517, establishing a fund for dredging to maintain harbors in New Hampshire. **REPORT FILED**

HB 1520, relative to primary petitions, political expenditures, and the jurisdiction of the ballot law commission. **REPORT FILED**

HB 1531, relative to reimbursement for removal of petroleum storage facilities from the oil pollution control fund. **REPORT FILED**

HB 1540, allowing non-banks to establish cash dispensing machines. **REPORT FILED**

HB 1541, creating a position in the insurance department. (Reps. Hunt, M. Clark, Herman and Hurt; Sens. Squires, Francoeur and Hollingworth)

HB 1545, increasing the salaries and changing the terms of office of the labor commissioner and the deputy labor commissioner. (Reps. Langer, Dyer, Murphy and Kurk; Sens. Barnes, Fraser and Blaisdell)

HB 1555, relative to including revocable trusts for medicaid estate recovery purposes. **REPORT FILED**

HB 1558, relative to games of chance. **REPORT FILED**

HB 1561, preventing computer pornography and child exploitation and increasing penalties for possession under the child pornography laws. **REPORT FILED**

HB 1575, relative to highway modifications on lands acquired through the land conservation investment program. **REPORT FILED**

HB 1629, relative to walking disability plates and placards. **REPORT FILED**

HB 1655, relative to the authority of the length of service awards program committee and making an appropriation therefor. **REPORT FILED**

SB 66, allowing a state resident to obtain a license for a pistol or revolver for life. **HOUSE REFUSED TO ACCEDE**

SB 73, providing the telecommunications poles and lines be subject to the property tax. (Sens. F. King, Gordon and Blaisdell; Reps. Hess, Teschner, Nichols and L. Foster)

SB 102-FN, relative to the possession of certain weapons in the commission of a violent crime. **REPORT FILED**

SB 197, relative to final dispositional orders in child protection cases. **REPORT FILED**

SB 205, establishing a special school district to provide special education eligible inmates in the state prison system. **REPORT FILED**

SB 312, relative to the health care transition fund. (Sens. Squires, D. Wheeler and K. Wheeler; Reps. Belvin, Camm, Thulander and F. Riley)

- SB 333**, allowing any registered voter who is unable to vote in person, by reason of extended work hours, lack of transportation, or illness in the family, to vote by absentee ballot. **REPORT FILED**
- SB 339**, relative to the bidding for design and construction of a new medium security prison in the city of Berlin and to the closure of the lakes region facility and making appropriations therefor. **REPORT FILED**
- SB 344**, clarifying requirements regarding certain trusts. **REPORT FILED**
- SB 352**, relative to continuing education requirements for electrologists. **REPORT FILED**
- SB 353**, relative to official ballot procedures. (Sens. Rubens, Whipple and Roberge; Reps. Patten, Metzger, McGuirk and Griffin)
- SB 397**, relative to the composition of the pharmacy board. **REPORT FILED**
- SB 400**, relative to withdrawal of a school district from an area district. **REPORT FILED**
- SB 421**, relative to timber harvesting and penalties for timber trespass. **REPORT FILED**
- SB 429**, relative to the confidentiality of drivers' motor vehicle records. **REPORT FILED**
- SB 437**, requiring a one year mandatory prison sentence for a third DWI conviction. **REPORT FILED**
- SB 440**, relative to fines payable to the division of motor vehicles; allowing civil bench warrants for defaults on such fines; authorizing bail commissioners to receive certain civil fines and fees, and authorizing the division of motor vehicles to report those in default to a consumer reporting agency. **REPORT FILED**
- SB 451**, relative to the accessibility of pupil assessment materials and the anonymity of pupil assessment results. **REPORT FILED**
- SB 473**, relative to child day care providers. **REPORT FILED**
- SB 475**, relative to medicaid reimbursement rates and dental care. **REPORT FILED**
- SB 488**, directing the department of environmental services to create a model for managing the flow of water in the Winnepesaukee River watershed and creating an advisory committee. **REPORT FILED**
- SB 490**, relative to life and accident and health insurance and relative to certain salaries. **REPORT FILED**
- SB 494**, establishing the voluntary small employer health insurance purchasing alliance. **REPORT FILED**
- SB 502**, allowing federal judges to perform marriages after obtaining a special license. **REPORT FILED**

LAID ON TABLE

- HB 643-FN**, establishing an industry average performance system for air pollution control and establishing certain pollution control funds. (Pending question is the adoption of the committee amendment.)
- HB 1577-FN-A**, relative to campaign finance expenditure and contribution reform. (Pending question is the adoption of the committee report.)

COMMITTEE HEARINGS

FRIDAY, JUNE 19

COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2), Room 103, State House

8:30 a.m. Regular meeting.

OSTEOPOROSIS ADVISORY COUNCIL (RSA 126-I:3), Room 103, LOB

9:00 a.m. Regular meeting.

WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62), Room 307, LOB

9:00 a.m. Regular meeting.

MONDAY, JUNE 22

ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB

9:00 a.m. Rescheduled regular meeting.

TUESDAY, JUNE 23

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. Subcommittee work session on ***HB 1499***, establishing a committee to study the circumstances and investigation of the deaths of Janet and Steven Dow; providing an exception from statutes of limitations for certain unlawful acts related to murders; relative to false reports to law enforcement officers; and nullifying the adoption of Steven Medeiros.

EDUCATION, Room 207, LOB

9:00 a.m. Subcommittee work session on ***HB 1230-FN-LOCAL***, establishing a teacher improvement and evaluation program.

FISCAL COMMITTEE (RSA 14:30-a), Rooms 210-211, LOB (Please note date change.)

9:00 a.m. Regular business.

9:30 a.m. Audits: State of New Hampshire Fish and Game Department audit report for the fiscal year ended June 30, 1997.

GOVERNOR'S ADVISORY COMMISSION ON THE CAPITAL BUDGET (RSA 9:3-a), Room 201, LOB

10:00 a.m. FY 2000-2001 Governor's Capital Budget Hearings.

JUDICIARY AND FAMILY LAW, Room 208, LOB

10:00 a.m. Subcommittee work session on ***HB 1317***, relative to termination of parental rights upon a finding of either child abuse or the commission of certain criminal offenses and ***HB 1549-FN***, granting a right to trial by jury in any controversy between a person or persons and a state board, commission, or agency when the amount in controversy is at least \$1,500.

10:00 a.m. Subcommittee work session on ***HB 1554-FN***, allowing punitive damages in actions for domestic violence and sexual assault, ***HB 1580-FN***, permitting a jury trial in the superior court for violations of the state law against discrimination for a certain time period or with the written assent of the commission for human rights after an action has been filed with the commission and ***HB 1610***, relative to back wages owed by employers.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Whittier House Restaurant, Route 16B, Ossipee

6:00 p.m. Public forum on negotiations and other labor laws.

SCIENCE, TECHNOLOGY AND ENERGY, Rooms 302-304, LOB

10:00 a.m. Presentation by NH Electric Cooperative on restructuring.

WEDNESDAY, JUNE 24

GOVERNOR'S ADVISORY COMMISSION ON THE CAPITAL BUDGET (RSA 9:3-a), Room 201, LOB

8:00 a.m. FY 2000-2001 Governor's Capital Budget Hearings.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Milford Town Hall Ambulance Room, Access off Middle Street

7:00 p.m. Public forum on negotiations and other labor laws.

LOCAL AND REGULATED REVENUES, Room 206, LOB

1:30 p.m. Full committee work session on ***HB 1566-FN-LOCAL***, providing that state-owned lands leased to or under an operating agreement with a private business entity are subject to the local property tax.

TUESDAY, JUNE 30

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Berlin Technical College, Berlin

6:00 p.m. Public forum on negotiations and other labor laws.

MONDAY, JUNE 29

OIL FUND DISBURSEMENT (RSA 146-D:4), Room 305, LOB

9:30 a.m. Regular meeting.

TUESDAY, JULY 7

NEW HAMPSHIRE COMMISSION ON THE SMITHSONIAN FESTIVAL OF AMERICAN FOLKLIFE (SJR 20, Chapter 204, Laws of 1996), Room 307, LOB

3:00 p.m. Regular meeting.

MONDAY, JULY 13

BRAIN AND SPINAL CORD INJURY ADVISORY COUNCIL (RSA 137-K:2), Room 205, LOB

2:00 p.m. Public hearing.

THURSDAY, JULY 16

ETHICS COMMITTEE (RSA 14-B:2), Room 304, LOB

9:00 a.m. Rescheduled regular meeting.

FRIDAY, JULY 17

ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB

9:00 a.m. Regular meeting.

MONDAY, JULY 20

OIL FUND DISBURSEMENT (RSA 146-D:4), Room 305, LOB

9:30 a.m. Regular meeting.

OFFICIAL NOTICES

On House session days and committee days Representatives who do not have reserved LOB or reserved street parking please park in the Storrs Street Parking Garage.

Rob Johnson, Sergeant-at-Arms

REVISED AMENDED FISCAL NOTES

The following HBs have a revised or amended fiscal note: HBs 111, 177, 204, 256, 443, 467, 485, 552, 559, 565, 579, 583, 587, 605, 606, 651, 670, 676, 686, 697, 707, 717, 730, 734, 736, 747, 749, 753, 774, 784, 1000, 1011, 1075, 1100, 1115, 1121, 1138, 1141, 1189, 1193, 1205, 1211, 1224, 1226, 1259, 1280, 1284, 1290, 1291, 1297, 1298, 1300, 1303, 1328, 1330, 1331, 1336, 1337, 1338, 1339, 1350, 1354, 1371, 1374, 1377, 1384, 1387, 1396, 1399, 1400, 1456, 1473, 1490, 1509, 1513, 1515, 517, 1541, 1543, 1545, 1555, 1573, 1575, 1579, 1582, 1588, 1593, 1594, 1598, 1599, 1600, 1601, 1602, 1603, 1617, 1636, 1639, 1644, 1655, 1660, 1662, 1663, 1664, 1668, 1671, 1673, 1674, 1676, 1679, 1680, 1681, HJR 24 and SB 485.

Leo J. Callahan, Assistant Clerk

When the House Clerk's Office is aware of House Members who are hospitalized or homebound by serious illness, we will publish a list of names and addresses so that their colleagues who so desire may send cards and greetings.

Gordon B. Flint, 21 Lincoln Terrace, Newport, New Hampshire 03773-1410

Robert W. Foster, PO Box 602, Moultonborough, New Hampshire 03254-0602

Olive B. Morrill, 30 Morrill Court, West Franklin, New Hampshire 03235-2026

Richard Noyes, PO Box 75, N. Salem, New Hampshire 03073-0075

Leo P. Pepino, 73 Walnut Street, Manchester, New Hampshire 03104-4848

Norma A. Sabella, 4 Birchwood Drive, Derry, New Hampshire 03038-3937

Paul W. Taylor, 214 Harris Road, Nashua, New Hampshire 03060-3708

Karen O. Wadsworth, Clerk of the House

MEMBERS' NOTICES

The following notices are published in the House record as a courtesy to the member(s) requesting publication. These are not official public notices and will be limited to legislative policy or social activities and political meetings or events. Publication should not be construed as support for either the events listed or the view espoused by the individual or organization sponsoring the event.

Legislators are encouraged to submit nominations for the Parents of the Year award. One couple from each of the 13 regions will be honored at a reception in Washington, DC by the Parents Day Foundation at which many Congressmen and a representative of the President will participate. Last year, Beaver and Claire Jutras of Peterborough were chosen as the regional winners and as the national winners. The Jutrases have said the reception and the other events have made this an unbelievable year for them. The parents chosen this year will again be role models of excellent parenting. For more information or for nomination materials, please contact Rep. Gene Gagnon (666-4097) or Rep. Bud Luebker (647-1851).

Rep. Bernard J. Luebker

Due to the weather the New Hampshire Game Farmers Association Awareness Day scheduled for Thursday, June 18th has been postponed. It will be rescheduled at a later date.

Reps. Robert L. Wheeler and Peter H. Burling

The Mainstreet Republican Caucus will meet during the lunch recess on Thursday, June 18th in Room 301, LOB. Sandwiches will be available for sale. Come join us.

Reps. Richard Leone, Andrew Peterson and Cynthia J. Dokmo

Please join Rep. Bob Wheeler for a reception in his honor as he begins his campaign for State Senate on Thursday, June 18th at 5:00 p.m. at the Holiday Inn in Concord.

Rep. Lawrence A. Emerton, Sr.

The Legislative Golf Outing scheduled for Friday, June 19th at John Cain Golf Club in Newport has been cancelled due to lack of dryness and rescheduled for September 18th. All other terms and conditions remain the same.

Rep. Gene G. Chandler

Manchester City Democrats will present a Flag Day Celebration, a tribute to former Chair C. Arthur Soucy on Friday, June 19 at 7:00 p.m. at the Chateau Restaurant, 201 Hanover Street. Tickets for the reception are \$30; \$100 for a pre-reception cocktail party. For tickets contact Rep. Raymond Buckley at 668-7151.

Rep. Steve Vaillancourt

Al Gore's 7th Annual "Family Reunion" presents "Families and Health" June 22nd and 23rd . The nationwide audience and presenters of families, federal and state health policy makers, academic researchers and healthcare professionals will address

the vision, barriers, action steps and policy changes necessary to improve family-centered healthcare. Live teleconference sites June 22-23 at Dartmouth-Hitchcock Medical Center and NH Hospital Association. Call Rita Nauceder at 650-7250 for more information and registration.

Rep. Sharon L. Nordgren

The Merrimack County Republican association will meet on Tuesday, June 23rd at the Cat 'n Fiddle Restaurant, Manchester Street, Concord. Social hour at 6:00 p.m. Dinner at 7:00 p.m. The speaker will be Rep. Kenneth L. Weyler. All Merrimack County Republicans are invited to attend.

Rep. James A. Whittemore

The Concord Democratic delegation cordially invites members of the NH Senate and House of Representatives to a reception for Mary Rauh, candidate for US Congress 2nd District to be held Tuesday, June 23, 4:30 to 6:00 p.m. at Hermanos Cocina Mexicana Restaurant, 11 Hills Avenue (corner of Storrs Street) Concord. Donation \$15 per person. Please contact Rep. Toni Crosby.

Rep. Toni M. Crosby

Former Governor Stephen and Heather Merrill will host Tom Colantuono at the Alpine Club, 165 Putnam Street, Manchester, on Wednesday, June 24 from 6:00 to 9:00 p.m. Tickets \$20 per couple. For tickets please contact Reps. Don White or Loren Jean.

Rep. Donald B. White

The House Republican Alliance will meet at the Upham Walker House (Park Street across from the State House) at 9:00 a.m. on Wednesday, June 24th. Refreshments will be served.

Rep. Robert K. Boyce

All Representatives and State House staff are invited to Governor Shaheen's 2nd Annual Legislative Barbecue at Bridges House on Thursday, June 25th, from 4:00 p.m. to 8:00 p.m. Please RSVP to Bernadette in the Governor's Office at 271-2121 by June 19th

Rep. Peter H. Burling

The New Hampshire HMO Association will be hosting a candidate luncheon on Thursday, June 25, 12:00-2:30 p.m. at CR Sparks in Bedford. The event will focus on the evolution of managed care in New Hampshire and legislative trends in health

care, Legislators and candidates for state office are invited to attend, and are asked to RSVP by calling 526-7844.

Rep. Betsey L. Patten

Carroll County Republican Committee is hosting a breakfast on Saturday, June 27th at 9:30 a.m. at the Lakeview Inn, Wolfeboro. Our featured speaker will be John Kasich. All legislators are welcome. Tickets are \$15. See Reps. Godfrey Howard or Betsy Patten.

Rep. Betsey L. Patten

The Bedford Republican Committee cordially invites you to attend a reception for Senator Judd Gregg on Wednesday, July 1st from 5:30 to 7:30 p.m. at the CR Sparks Event Center, 18 Kilton Road, Bedford. Tickets are \$25 per person. Hors d'oeuvres will be served. For tickets please see Rep. Kathleen M. Flora or Rep. Maurice E. Goulet.

Rep. Kathleen M. Flora

The Strafford County Democrats are holding their annual cook-out on Sunday, August 9 from 1:00 to 5:00 p.m. The event is being sponsored by the Barrington Democratic Committee at the home of Steve and Anne Whitney on France Road in Barrington. Tickets are \$5 per adult, \$3 for children and \$15 for family of 4. Candidates and families are welcome. Invited are Governor Shaheen and Congressman Patrick Kennedy. Please contact Barbara Morris at 749-6649 or Rep. Marlene DeChane at 335-0860.

Rep. Marlene DeChane

The Department of Transportation will hold the following meetings:

June 22 - Rollinsford Town Office, 7:00 p.m. Selectmen's meeting, Rollinsford, construct sidewalks along Main Street.

June 23 - Henniker Town Hall, 2 Depot Hill Road, Henniker, 7:15 p.m. Selectmen's meeting, Henniker, potential modifications to Proctor Square.

June 23 - Holderness Town Hall, Route 3, Holderness, 7:00 p.m. Public hearing (commission), Holderness, NH Route 3/25.

June 24 - State House Executive Council Chambers, Noon (½ hour after G&C adjourns). GACIT meeting to discuss CMAQ and Transportation Enhancement Projects.

June 29 - Loudon Safety Building, 8 Cooper Street, Loudon, 7:00 p.m. Combined public officials/public informational meeting, Concord-Loudon, widening of NH Route 106.

June 30 - Portsmouth City Hall Council Chambers, 1 Junkins Avenue, Portsmouth, 7:00 p.m. Combined public officials/public informational meeting, Portsmouth, Park and ride facility with bus terminal.

July 9 - Piermont Elementary School, NH Route 10, Piermont, 7:00 p.m. Public hearing (Commission) Piermont, NH Route 10 over Bean Brook.

Rep. Gene G. Chandler, Chairman

Public Works and Highways

Pursuant to RSA 228:93, the New Hampshire Department of Transportation and the Department of Safety will be conducting the following 1998 Regional Safety Conferences on highway related issues in each county, except Coos and Hillsborough where two are scheduled. The purpose of these conferences is to receive comments from representatives of local police, the public works department and the general public on highway issues such as speed limits, highway markings, traffic lights, highway signs, intersections, and other safety concerns relative to the State highway system.

Date	Location	Time
June 18	Rockingham County - Exeter Town Hall 10 Front Street, Exeter	10:00 a.m.
June 23	Belknap County - Laconia City Hall 45 Beacon Street East, Laconia	10:00 a.m.
June 23	Merrimack County - Concord City Council 35 Green Street, Concord	2:00 p.m.
June 25	Strafford County - Dover City Hall 288 Central Avenue, Dover	10:00 a.m.
Rep. Gene G. Chandler		

NOTICE

The 1998 hard-cover permanent House Journal soon will be sent for typesetting and printing. Orders have to be placed in the House Clerk's office by September 18. Distribution is expected to be in early January of 1999.

Upon request, House and Senate members, as well as heads of state agencies are each entitled to one copy at no cost.

Additional copies plus all copies for non-legislators or non-state agencies will cost approximately \$45 each, plus mailing costs if there are any. If you are a member of the general public or if you are ordering multiple copies, please DO NOT send your money now. You will be billed.

In recent years, printing costs have continued to rise. Once again, an effort is being made to cut waste. The number to be printed will be determined by the number of orders placed. Please do not order a journal if you have no intention of claiming it.

Please clip this form and return it in person or via mail to:

House Clerk's Office, Room 317 - State House, Concord, NH 03301

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Leo J. Callahan

House Assistant Clerk